

## SENATE BILL NO. 191

INTRODUCED BY B. DEPRATU

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE ISSUANCE OF GENERIC SPECIALTY  
5 LICENSE PLATES; ALLOWING QUALIFIED ORGANIZATIONS TO SPONSOR GENERIC SPECIALTY LICENSE  
6 PLATES THAT INCLUDE THE SPONSOR'S NAME, IDENTIFYING PHRASE, AND GRAPHIC; REQUIRING THE  
7 DEPARTMENT OF JUSTICE TO ADMINISTER THE PROGRAM AND ADOPT RULES THAT DICTATE THE  
8 APPEARANCE OF THE PLATES; LISTING THE REQUIREMENTS FOR BECOMING A GENERIC SPECIALTY  
9 LICENSE PLATE SPONSOR; REQUIRING THE APPOINTMENT OF GENERIC SPECIALTY LICENSE PLATE  
10 LIAISONS; ESTABLISHING A FEE FOR PURCHASE OF THE PLATES AND SPECIFYING DISBURSEMENT  
11 OF THE REVENUE; PROVIDING AN APPROPRIATION OF \$120,000 FROM THE GENERAL FUND TO THE  
12 DEPARTMENT OF CORRECTIONS FOR MANUFACTURE OF THE PLATES; PROVIDING AN APPROPRIATION  
13 OF \$26,010 FROM THE GENERAL FUND TO THE DEPARTMENT OF JUSTICE FOR PROGRAMMING COSTS;  
14 AMENDING SECTIONS 61-3-332, 61-3-407, AND 61-3-446, MCA; AND PROVIDING ~~A DELAYED~~ AN  
15 IMMEDIATE EFFECTIVE DATE, AN APPLICABILITY DATE, AND A TERMINATION DATE."

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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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19 NEW SECTION. **Section 1. Short title.** [Sections 1 through 10] may be cited as the "Montana  
20 Generic Specialty License Plate Act".

21  
22 NEW SECTION. **Section 2. Definitions.** As used in [sections 1 through 10], the following  
23 definitions apply:

24 (1) "Generic specialty license plate" means a license plate bearing the name, identifying phrase,  
25 or graphic of a sponsor, approved by the department, and that is issued by the department to a person  
26 who is entitled to a special certificate of registration.

27 (2) "Governmental body" means a tribal government, state agency, local government, school  
28 district, or other political subdivision within this state.

29 (3) "Organization" means an association, corporation, group, or other entity:

30 (a) recognized by the internal revenue service as tax-exempt under 26 U.S.C. 501(c)(3); and

(b) that does not have as its primary focus sectarian activities, including but not limited to activities aimed at promoting the adoption of one or more religious or political viewpoints.

(4) "Special certificate of registration" means the certificate of motor vehicle registration issued in accordance with [section 8].

(5) "Sponsor" means the governmental body or organization approved by the department to promote the sale and issuance of a generic specialty license plate.

(6) "Tribal government" means the officially recognized government of an Indian tribe, nation, or other organized Indian group or community located in Montana that is exercising self-government powers and that is recognized as being eligible for services provided by the United States to Indians because of their status as Indians.

**NEW SECTION. Section 3. Responsibility for design of generic specialty license plates -- numbering -- rulemaking -- approval -- county designation by sticker -- listing of plate sponsors.** (1) The department shall:

(a) design the background and general format of generic specialty license plates;

~~(b) IN CONSULTATION WITH THE DEPARTMENT OF CORRECTIONS, DETERMINE WHICH LICENSE PLATE PROCESSING SYSTEM IS THE MOST EFFICIENT AND VERSATILE MANUFACTURING METHOD FOR THE PRODUCTION OF GENERIC SPECIALTY LICENSE PLATES;~~

~~(b)(c)~~ use a numbering system for generic specialty license plates that is distinctive from the numbering system required under 61-3-332 or used for collegiate license plates;

~~(c)(d)~~ adopt rules that prescribe:

(i) the minimum and maximum number of characters that a generic specialty license plate may display;

(ii) the general placement of the sponsor's name, identifying phrase, and graphic; and

(iii) any specifications or limitations on the use or choice of color or detail in the sponsor's graphic design.

(2) All sponsor names, identifying phrases, and graphics intended for use on generic specialty license plates must be approved by the department prior to the manufacture of the plates.

(3) Upon the issuance of generic specialty license plates, the department shall provide nonremovable stickers bearing the appropriate county designation as provided in 61-3-332. The stickers

1 must be affixed to the license plates in use in accordance with instructions by the department.

2 (4) The department shall maintain a list of the organizations that it has approved as sponsors of  
3 generic specialty license plates, including the name and address of a generic specialty license plate liaison  
4 for each organization. The department shall, upon request, make copies of this list available to interested  
5 members of the public.

6 (5) The department may, in its discretion, revoke its previous approval of an organization's generic  
7 specialty license plate sponsorship if the organization fails to comply with the provisions of [sections 1  
8 through 10] or if the department has reliable information that the organization may no longer be qualified  
9 for sponsorship under [sections 1 through 10].

10

11 NEW SECTION. **Section 4. Qualifications and approval of organization as sponsor.** (1) To qualify  
12 as a sponsor of a generic specialty license plate, an organization shall:

13 (a) apply, through the organization's officers, for sponsorship on a form or in a format prescribed  
14 by the department;

15 (b) submit proof of good standing if the organization is required to be registered with the office  
16 of the secretary of state;

17 (c) designate one of its members as the organization's generic specialty license plate liaison. The  
18 liaison is responsible for all communications with the department regarding the organization's sponsorship  
19 of generic specialty license plates and shall file the liaison's name, address, and telephone number with  
20 the department for the purposes provided for in [section 3(4)].

21 (d) submit to the department proof that is acceptable to the department that:

22 (i) the organization is a nonprofit organization as demonstrated in its charter or bylaws or by an  
23 internal revenue service ruling. The department may request copies of an internal revenue service ruling  
24 to verify an organization's nonprofit status.

25 (ii) the primary purpose of the organization, except for an organization of military service veterans,  
26 is service to the community through specific programs that promote improving public health, education,  
27 or general welfare;

28 (iii) the organization's name, identifying phrase, or graphic that will be placed on the generic  
29 specialty license plate does not:

30 (A) invoke connotations offensive to good taste and decency;

(B) promote, advertise, or endorse a product, brand, or service provided for sale;

~~(C) promote any specific religious or political belief;~~

~~(D)(C)~~ infringe or otherwise violate a trademark, trade name, service mark, copyright, or other proprietary or property right; or

~~(E)(D)~~ obscure the generic specialty license plate letters or numbers that the department assigns as provided in [section ~~3(1)(b)~~ 3(1)(c)];

(iv) the organization's headquarters or base of operations is in this state or, if the organization is a chapter or branch of an international, national, or regional organization, the chapter or branch is in good standing and has authorization in writing from the parent organization to use the name and graphic of the parent organization; and

(v) the organization has an active telephone number listed under its name in at least one published Montana directory.

(2) The department may require a statement under oath from the officers of the organization that the organization is authorized to use the name, identifying phrase, and graphic submitted for display on a generic specialty license plate and that no infringement or violation of any property right exists, together with an agreement to defend and hold harmless the state of Montana, its employees, or its agents for any liability as a result of an infringement or violation of any property right.

(3) The department's approval or rejection of an organization's application for generic specialty license plate sponsorship must be based on the requirements provided in [sections 1 through 10]. The department shall state in writing the reasons for its rejection of an organization's application.

**NEW SECTION. Section 5. Qualification and approval of governmental body as sponsor.** To qualify for sponsorship of a generic specialty license plate, a governmental body shall:

(1) apply for sponsorship through the executive body of a tribal government, the state agency director or department head, the commission or council of a local government or political subdivision, or the board of trustees of a school district on a form or in a format approved by the department;

(2) if the governmental body is a state agency, identify the statutory authority under which it is relying to seek sponsorship of a generic specialty license plate and specify the account in which any generic specialty license plate donations must be placed;

(3) designate one of its officers or employees as the governmental body's generic specialty license

plate liaison. The liaison is responsible for all communications with the department regarding the governmental body's sponsorship of generic specialty license plates and shall file the liaison's name, address, and telephone number with the department for the purposes provided for in [section 3(4)].

**NEW SECTION. Section 6. Generic specialty license plate liaison -- responsibilities.** (1) Upon the department's approval of an organization's or a governmental body's proposed sponsorship of a generic specialty license plate, the generic specialty license plate liaison designated under [sections 4(1)(c) and 5(3)] shall submit to the department the sponsor's name, identifying phrase, and graphic that will appear on the generic specialty license plate.

(2) The generic specialty license plate liaison shall verify and approve in writing the prototype or mockup of the sponsoring organization's generic specialty license plate before it may be manufactured or issued by the department.

(3) Subject to the provisions of [section 8], the generic specialty license plate liaison shall determine a person's eligibility to receive a generic specialty license plate and shall provide, on behalf of the sponsor, a written certificate of eligibility to an eligible person who has paid the required donation as determined by the sponsor and as provided in [section 9].

**NEW SECTION. Section 7. Generic specialty license plate sponsor fee -- exception.** (1) Except as provided in subsection (2), upon approval of an organization's application to sponsor a generic specialty license plate and before a sponsor's generic specialty license plates may be manufactured, the department shall assess and the sponsor shall pay a \$1,200 fee to reimburse the department for the initial costs incurred in producing the generic specialty license plates for the sponsoring organization.

(2) In lieu of the fee required in subsection (1), a minimum of 400 applications for a sponsoring organization's generic specialty license plates must be filed and prepaid with the department before the generic specialty license plates may be manufactured and issued.

**NEW SECTION. Section 8. Special certificate of registration and issuance of generic specialty license plates -- qualifications.** (1) The department shall issue a special certificate of registration and generic specialty license plates to a person who applies if the person presents written certification, in a form prescribed by the department, from the sponsoring organization indicating that the person is eligible

1 to receive the generic specialty license plates.

2 (2) If the sponsor is a governmental body that has a written agreement with the county treasurer  
3 pursuant to [section 9], the department shall issue a special certificate of registration and generic specialty  
4 license plates to an eligible person who applies if the person pays the donation specified by the  
5 governmental body to the county treasurer at the time of application.

6 (3) A special certificate of registration and generic specialty license plates may be issued only for  
7 a light vehicle.

8 (4) The department may issue a special certificate of registration and generic specialty license  
9 plates to joint owners of a motor vehicle if one of the owners is determined by the sponsor to be eligible  
10 and if the eligible owner's name appears on the vehicle's special certificate of registration.

11 (5) (a) Except as provided in [sections 1 through 10], a person who receives a special certificate  
12 of registration and generic specialty license plates is subject to the same rules and laws as those that  
13 govern number plates.

14 (b) Except as provided in [sections 1 through 10], the department is subject to the same rules and  
15 laws as govern the issuance of number plates.

16 (C) GENERIC SPECIALTY LICENSE PLATES ISSUED UNDER [SECTIONS 1 THROUGH 10] ARE NOT SUBJECT TO THE  
17 MAXIMUM 4-YEAR LIMITATION PROVIDED IN 61-3-332(2)(A).

18

19 NEW SECTION. Section 9. Fees for generic specialty license plates -- disposition. (1) In addition  
20 to the other fees and taxes imposed by law, an eligible person who applies for a generic specialty license  
21 plate shall pay an administrative fee of \$10. The county treasurer shall, upon receipt of the fee:

22 (a) deposit \$2 of the fee in the county general fund; and

23 (b) remit \$8 of the fee to the state general fund, ~~with \$5 \$6 of that amount to be allocated to the~~  
24 ~~department of corrections for the purposes provided for in 53-30-132(1)(k).~~

25 (2) An applicant for a generic specialty license plate sponsored by a state agency shall pay to the  
26 county treasurer the donation required by the state agency. The county treasurer shall remit the entire  
27 amount of the donation to the state treasurer for deposit in either the state general fund or the state  
28 special revenue fund to the credit of the sponsoring state agency.

29 (3) If an additional donation is required by a state agency for renewal of generic specialty license  
30 plates sponsored by the state agency, the additional donation must be paid to the county treasurer upon

1 renewal and remitted to the state agency as prescribed in subsection (2).

2 (4) The county treasurer shall also collect from an applicant any donation required by a sponsoring  
3 local government, school district, or political subdivision if a written agreement exists between the county  
4 treasurer and the sponsoring local government, school district, or political subdivision. The agreement  
5 must:

6 (a) authorize the collection of the donations by the county treasurer;

7 (b) specify the amount of donation required for issuance and renewal of the generic specialty  
8 license plates; and

9 (c) provide for the disbursement of the revenue.

10

11 NEW SECTION. **Section 10. Generic specialty license plates -- restrictions on use.** (1) Generic  
12 specialty license plates may be issued by the department only in conjunction with the registration of a light  
13 vehicle. The department may not issue generic specialty license plates without the motor vehicle having  
14 been registered.

15 (2) Generic specialty license plates may be used only as the official number plates for a motor  
16 vehicle.

17

18 **Section 11.** Section 61-3-332, MCA, is amended to read:

19 **"61-3-332. Number plates.** (1) A motor vehicle that is driven upon the streets or highways of  
20 Montana must display both front and rear number plates, bearing the distinctive number assigned to the  
21 vehicle. The number plates are in 10 series: one series for owners of motorcars, one for owners of motor  
22 vehicles of the motorcycle or quadricycle type, one for trailers, one for trucks, one for dealers in vehicles  
23 of the motorcycle or quadricycle type that bears the distinctive letters "MCD" or the letters "MC" and the  
24 word "DEALER", one for franchised dealers in new motorcars (including trucks and trailers) or new and  
25 used motorcars (including trucks and trailers) that bears the distinctive letter "D" or the word "DEALER",  
26 one for dealers in used motorcars only (including used trucks and trailers) that bears the distinctive letters  
27 "UD" or the letter "U" and the word "DEALER", one for dealers in trailers and/or semitrailers (new or used)  
28 that bears the distinctive letters "DTR" or the letters "TR" and the word "DEALER", one for dealers in  
29 recreational vehicles that bears the distinctive letters "RV" or the letter "R" and the word "DEALER", and  
30 one each for special license plates, collegiate license plates, and generic specialty license plates authorized

1 under this chapter. All markings for the various kinds of dealers' plates must be placed on the number  
2 plates assigned to the dealer, in the position that the department designates.

3 (2) (a) ~~At~~ EXCEPT AS PROVIDED IN [SECTION 8], ALL number plates for motor vehicles must be issued  
4 for a maximum period of 4 years, bear a distinctive marking, and be furnished by the ~~state~~ department.  
5 In years when number plates are not issued, the department shall provide nonremovable stickers bearing  
6 appropriate registration numbers that must be affixed to the license plates in use.

7 (b) For light vehicles that are permanently registered as provided in 61-3-527 or 61-3-562, the  
8 department shall provide distinctive nonremovable stickers indicating that the vehicle is permanently  
9 registered. The stickers must be affixed to the license plates in use.

10 (3) (a) Subject to the provisions of this section, the department shall create a new design for  
11 number plates as provided in this section, and it shall manufacture the newly designed number plates for  
12 issuance after December 31, 1999, to replace at renewal, as required in 61-3-312 and 61-3-314, number  
13 plates that were displayed on motor vehicles before that date.

14 (b) Beginning January 1, 2000, the department shall manufacture and issue new number plates  
15 every 4 years.

16 (4) In the case of motorcars and trucks, plates must be of metal 6 inches wide and 12 inches in  
17 length. ~~The~~ EXCEPT FOR GENERIC SPECIALTY LICENSE PLATES, THE outline of the state of Montana must be used  
18 as a distinctive border on the license plates, and the word "Montana" ~~and the year~~ must be placed ~~across~~  
19 ~~the plates~~ ON EACH PLATE. Registration plates must be treated with a reflectorized background material  
20 according to specifications prescribed by the department.

21 (5) The distinctive registration numbers must begin with a number one or with a letter-number  
22 combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers. ~~The~~  
23 Except for special license plates, collegiate license plates, and generic specialty license plates, the  
24 distinctive registration number or letter-number combination assigned to the vehicle must appear on the  
25 plate preceded by the number of the county and appearing in horizontal order on the same horizontal  
26 baseline. The county number must be separated from the distinctive registration number by a separation  
27 mark unless a letter-number combination is used. The dimensions of the numerals and letters must be  
28 determined by the department, and all county and registration numbers must be of equal height.

29 (6) For the use of exempt motor vehicles and motor vehicles that are exempt from the registration  
30 fee as provided in 61-3-560(2)(a), in addition to the markings provided in this section, number plates must



1 bear the following distinctive markings:

2 (a) For vehicles owned by the state, the department may designate the prefix number for the  
3 various state departments. All numbered plates issued to state departments must bear the words "State  
4 Owned", and a year number may not be indicated on the plates because these numbered plates are of a  
5 permanent nature and will be replaced by the department only when the physical condition of numbered  
6 plates requires it.

7 (b) For vehicles that are owned by the counties, municipalities, and special districts, as defined  
8 in 18-8-202, organized under the laws of Montana and not operating for profit, and that are used and  
9 operated by officials and employees in the line of duty and for vehicles on loan from the United States  
10 government or the state of Montana to, or owned by, the civil air patrol and used and operated by officials  
11 and employees in the line of duty, there must be placed on the number plates assigned, in a position that  
12 the department may designate, the letter "X" or the word "EXEMPT". Distinctive registration numbers for  
13 plates assigned to motor vehicles of each of the counties in the state and those of the municipalities and  
14 special districts that obtain plates within each county must begin with number one and be numbered  
15 consecutively. Because these number plates are of a permanent nature, they are subject to replacement  
16 by the department only when the physical condition of the number plates requires it and a year number  
17 may not be displayed on the number plates.

18 (7) On all number plates assigned to motor vehicles of the truck and trailer type, other than  
19 tax-exempt trucks and tax-exempt trailers, there must appear the letter "T" or the word "TRUCK" on  
20 plates assigned to trucks and the letters "TR" or the word "TRAILER" on plates assigned to trailers and  
21 housetrailers. The letters "MC" or the word "CYCLE" must appear on plates assigned to vehicles of the  
22 motorcycle or quadricycle type.

23 (8) Number plates issued to a passenger car, truck, trailer, or vehicle of the motorcycle or  
24 quadricycle type may be transferred only to a replacement passenger car, truck, trailer, or motorcycle- or  
25 quadricycle-type vehicle. A registration or license fee may not be assessed upon a transfer of a number  
26 plate under 61-3-317 and 61-3-335.

27 (9) For the purpose of this chapter, the several counties of the state are assigned numbers as  
28 follows: Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead,  
29 7; Fergus, 8; Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15;  
30 Dawson, 16; Roosevelt, 17; Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22;

1 Musselshell, 23; Blaine, 24; Madison, 25; Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer  
2 Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33; Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels,  
3 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41; Carter, 42; Broadwater, 43; Wheatland, 44;  
4 Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield, 50; Jefferson, 51; Wibaux, 52;  
5 Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56. Any new counties must be assigned numbers  
6 by the department as they may be formed, beginning with the number 57.

7 (10) Each type of special license plate approved by the legislature, except collegiate license plates  
8 authorized in 61-3-463 and generic specialty license plates authorized in [sections 1 through 10], must  
9 be a separate series of plates, numbered as provided in subsection (5), except that the county number  
10 must be replaced by a nonremovable design or decal designating the group or organization to which the  
11 applicant belongs. Unless otherwise specifically stated in this section, the special plates are subject to the  
12 same rules and laws as govern the issuance of regular license plates, must be placed or mounted on a  
13 vehicle owned by the person who is eligible to receive them, and must be removed upon sale or other  
14 disposition of the vehicle. The special license plates must be issued to national guard members, former  
15 prisoners of war, persons with disabilities, reservists, disabled veterans, survivors of the Pearl Harbor  
16 attack, veterans of the armed services, national guard veterans, legion of valor members, or veterans of  
17 the armed services who were awarded the purple heart medal, who comply with the following provisions:

18 (a) (i) An active member of the Montana national guard may be issued special license plates with  
19 a design or decal displaying the letters "NG". The adjutant general shall issue to each active member of  
20 the Montana national guard a certificate authorizing the department to issue national guard plates,  
21 numbered in sets of two with a different number on each set, and the member shall surrender the plates  
22 to the department upon becoming ineligible to use them.

23 (ii) The department may issue national guard veteran plates, bearing a design or decal displaying  
24 the Montana national guard insignia and the words "National Guard veteran" and numbered in sets of two  
25 with a different number on each set, to an applicant who presents to the department a copy of certification  
26 of national guard retirement eligibility issued by the appropriate authorities for the applicant or the  
27 applicant's deceased spouse and who pays, in addition to all taxes and fees required by parts 3 and 5 of  
28 this chapter, a national guard veteran license plate fee of \$10. The additional fee must be distributed in  
29 accordance with the provisions of subsection (10)(f)(iii) and (10)(f)(iv).

30 (b) An active member of the reserve armed forces of the United States of America who is a

resident of this state may be issued special license plates with a design or decal displaying the following: United States army reserve, AR (symbol); United States naval reserve, NR (anchor); United States air force reserve, AFR (symbol); and United States marine corps reserve, MCR (globe and anchor). The commanding officer of each armed forces reserve unit shall issue to each eligible member of the reserve unit a certificate authorizing the issuance of special license plates, numbered in sets of two with a different number on each set. The member shall surrender the plates to the department upon becoming ineligible to use them.

(c) (i) A resident of Montana who is a veteran of the armed forces of the United States and who is 100% disabled because of an injury that has been determined by the department of veterans affairs to be service-connected may, upon presentation to the department of proof of the 100% disability, be issued:

(A) a special license plate under this section with a design or decal displaying the letters "DV";  
or

(B) one set of any other military-related plates that the disabled veteran is eligible to receive under this section.

(ii) The fee for original or renewal registration by a 100% disabled veteran for a ~~passenger vehicle~~ light vehicle is \$5 and is in lieu of all other fees and taxes for that vehicle under this chapter.

(iii) Special license plates issued to a disabled veteran are not transferable to another person.

(iv) A disabled veteran is not entitled to a special disabled veteran's license plate for more than one vehicle.

(v) A vehicle lawfully displaying a disabled veteran's plate and that is conveying a 100% disabled veteran is entitled to the parking privileges allowed a person with a disability's vehicle under this title.

(d) A Montana resident who is a veteran of the armed forces of the United States and was captured and held prisoner by a military force of a foreign nation, documented by the veteran's service record, may upon application and presentation of proof be issued special license plates, numbered in sets of two with a different number on each set, with a design or decal displaying the words "ex-prisoner of war" or an abbreviation that the department considers appropriate.

(i) Fees required under 61-3-321(1) and (5) may not be assessed upon one set of license plates issued to an ex-prisoner of war under this subsection (10)(d).

(ii) A special license plate fee may not be assessed upon one set of special license plates issued

1 to an ex-prisoner of war under this subsection (10)(d).

2 (iii) An ex-prisoner of war is exempt from the ~~light vehicle taxes imposed under 61-3-504~~  
3 registration fees imposed under 61-3-560 through 61-3-562 for one vehicle that displays a set of  
4 ex-prisoner of war license plates.

5 (iv) A surviving spouse of an ex-prisoner of war may retain the special license plates that have  
6 been issued to the ex-prisoner of war if the spouse complies with the provisions of 61-3-457.

7 (e) Except as provided in subsections (10)(c) and (10)(d), upon payment of all taxes and fees  
8 required by parts 3 and 5 of this chapter and upon furnishing proof satisfactory to the department that the  
9 applicant meets the requirements of this subsection (10)(e), the department shall issue to a Montana  
10 resident who is a veteran of the armed services of the United States special license plates, numbered in  
11 sets of two with a different number on each set, designed to indicate that the applicant is a survivor of  
12 the Pearl Harbor attack if the applicant was a member of the United States armed forces on December 7,  
13 1941, was on station on December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. (Hawaii time)  
14 at Pearl Harbor, the island of Oahu, or was offshore at a distance of not more than 3 miles, and received  
15 an honorable discharge from the United States armed forces. If special license plates issued under  
16 subsection (10)(d) and this subsection are lost, stolen, or mutilated, the recipient of the plates is entitled  
17 to replacement plates upon request and without charge.

18 (f) A motor vehicle owner and resident of this state who is a veteran or the surviving spouse of  
19 a veteran of the armed services of the United States may be issued license plates inscribed as provided  
20 in subsection (10)(f)(i) if the veteran was separated from the armed services under other than dishonorable  
21 circumstances or was awarded the purple heart medal:

22 (i) Upon submission of a department of defense form 214(DD-214) or its successor or documents  
23 showing an other-than-dishonorable discharge or a reenlistment, proper identification, and other relevant  
24 documents to show an applicant's qualification under this subsection, there must be issued to the  
25 applicant, in lieu of the regular license plates prescribed by law, special license plates numbered in sets  
26 of two with a different number on each set. The plates must display:

27 (A) the word "VETERAN" and a symbol signifying the United States army, United States navy,  
28 United States air force, United States marine corps, or United States coast guard, according to the record  
29 of service verified in the application; or

30 (B) a symbol representing the purple heart medal.

(ii) Plates must be furnished by the department to the county treasurer, who shall issue them to a qualified veteran or to the veteran's surviving spouse. The plates must be placed or mounted on the vehicle owned by the veteran or the veteran's surviving spouse designated in the application and must be removed upon sale or other disposition of the vehicle.

(iii) Except as provided in subsections (10)(c) and (10)(d), a veteran or surviving spouse who receives special license plates under this subsection (10)(f) is liable for payment of all taxes and fees required under parts 3 and 4 of this chapter and a special veteran's or purple heart medal license plate fee of \$10. Upon an original application for a license under this subsection (10)(f), the county treasurer shall:

(A) deposit \$3 of the special fee in the county general fund;

(B) remit \$1 for deposit in the state general fund; and

(C) deposit the remainder of the special fee in the state special revenue account established in 10-2-603 for administration, construction, operation, and maintenance of the state veterans' cemeteries.

(iv) Upon subsequent annual renewal of registration, the county treasurer shall deposit all of the special fee as provided in subsection (10)(f)(iii)(C).

(g) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may, upon written application on a form prescribed by the department, be issued a special license plate with a design or decal bearing a representation of a wheelchair as the symbol of a person with a disability.

(h) The department may issue legion of valor license plates, bearing a design or decal depicting the recognized legion of valor medallion and numbered in sets of two with a different number on each set, to an applicant who presents to the department proper documentation of receipt of a legion of valor award by appropriate authorities to the applicant or the applicant's deceased spouse and who pays all taxes and fees required by parts 3 and 5 of this chapter.

(11) The provisions of this section do not apply to a motor vehicle, trailer, or semitrailer that is registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through 61-3-733."

**Section 12.** Section 61-3-407, MCA, is amended to read:

**"61-3-407. Personalized veterans', national guard veterans', ~~or~~ legion of valor members', and generic specialty license plates.** (1) Subject to the provisions of 61-3-405 and 61-3-406, an application for veterans', national guard veterans', ~~or~~ legion of valor members', or generic specialty license plates

1 under 61-3-332(10)(a)(ii), (10)(f), or (10)(h) or [sections 1 through 10] may be combined with an  
2 application for personalized plates.

3 (2) An application for personalized veterans', national guard veterans', ~~or~~ legion of valor members',  
4 or generic specialty license plates must be made on a form supplied by the department."

5

6 **Section 13.** Section 61-3-446, MCA, is amended to read:

7 **"61-3-446. Retention of special license plates.** If during a registration year the holder of special  
8 license plates issued under 61-3-332(10) or generic specialty license plates issued as provided in [sections  
9 1 through 10] disposes of the vehicle to which the plates are affixed, the holder ~~shall~~ may retain the plates  
10 and ~~may~~ affix them to another vehicle."

11

12 NEW SECTION. SECTION 14. APPROPRIATION. (1) THERE IS APPROPRIATED FROM THE GENERAL FUND TO THE  
13 DEPARTMENT OF CORRECTIONS FOR THE BIENNIUM ENDING JUNE 30, 2003, \$120,000 TO BE USED FOR THE  
14 MANUFACTURE OF GENERIC SPECIALTY LICENSE PLATES BY THE PRISON INDUSTRIES PROGRAM.

15 (2) THERE IS APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF JUSTICE FOR THE BIENNIUM  
16 ENDING JUNE 30, 2003, \$26,010 TO BE USED FOR COMPUTER PROGRAMMING COSTS INCURRED AS A RESULT OF [THIS  
17 ACT].

18

19 NEW SECTION. Section 15. Notification to tribal governments. The secretary of state shall send  
20 a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little  
21 Shell band of Chippewa.

22

23 NEW SECTION. Section 16. Coordination instruction. If [LC 32] and [this act] both are passed  
24 and approved, then the introductory language in [section 10(2)] of [LC 32] must read:

25 "(2) In addition to special license plates, collegiate license plates, and generic specialty license  
26 plates authorized under this chapter, a separate series of number plates must be issued, in the manner  
27 specified, for each of the following vehicle or dealer types:".

28

29 ~~NEW SECTION. SECTION 16. CONTINGENT VOIDNESS. If \$26,020 FOR COSTS RELATED TO [THIS ACT] IS~~  
30 ~~NOT APPROPRIATED IN HOUSE BILL NO. 2 TO THE DEPARTMENT OF JUSTICE FOR THE FISCAL YEAR ENDING JUNE 30,~~

1 2002, THEN [THIS ACT] IS VOID.

2

3 NEW SECTION. SECTION 17. COORDINATION INSTRUCTION. (1) IF SENATE BILL NO. 393 AND [THIS ACT]

4 ARE BOTH PASSED AND APPROVED, THEN:

5 (A) [SECTIONS 1 THROUGH 4, 6, 7, 10, AND 11] OF SENATE BILL NO. 393 (SECOND READING, SECOND HOUSE  
6 VERSION) ARE VOID;

7 (B) [SECTION 5] OF SENATE BILL NO. 393 MUST READ AS FOLLOWS:

8 "NEW SECTION. SECTION 5. LEWIS AND CLARK BICENTENNIAL LICENSE PLATES -- AUTHORIZATION TO APPLY

9 AS SPONSOR -- USE OF PROCEEDS. (1) THE LEWIS AND CLARK BICENTENNIAL COMMISSION MAY:

10 (A) APPLY TO THE DEPARTMENT OF JUSTICE TO SPONSOR A GENERIC SPECIALTY LICENSE PLATE AS PROVIDED IN  
11 [SECTION 5] OF SENATE BILL NO. ~~393~~ 191; AND

12 (B) REQUIRE AN APPLICANT FOR A GENERIC SPECIALTY LICENSE PLATE SPONSORED BY THE LEWIS AND CLARK  
13 BICENTENNIAL COMMISSION TO MAKE A DONATION OF \$20 TO THE LEWIS AND CLARK BICENTENNIAL COMMISSION UPON  
14 INITIAL ISSUANCE OF THE LICENSE PLATES AND A DONATION OF \$20 UPON EACH ANNUAL RENEWAL OF THE LICENSE  
15 PLATES.

16 (2) THE DONATION PROVIDED FOR IN SUBSECTION (1)(B) MUST BE PAID TO THE COUNTY TREASURER, WHO SHALL  
17 REMIT THE ENTIRE AMOUNT TO THE STATE TREASURER FOR DEPOSIT IN THE SPECIAL REVENUE ACCOUNT ESTABLISHED IN  
18 2-15-150.

19 (3) THE LEWIS AND CLARK BICENTENNIAL COMMISSION SHALL ESTABLISH THE CRITERIA THAT ENTITIES OR  
20 ORGANIZATIONS ARE REQUIRED TO MEET IN ORDER TO RECEIVE PROCEEDS FROM THE SPECIAL REVENUE ACCOUNT  
21 ESTABLISHED IN 2-15-150, AND THE COMMISSION MAY DISTRIBUTE THE MONEY IN A MANNER AND IN ANY AMOUNT THAT  
22 IT DETERMINES APPROPRIATE.

23 (4) THE LEWIS AND CLARK BICENTENNIAL COMMISSION MAY RETAIN ANY AMOUNT OF MONEY COLLECTED IN THE  
24 SPECIAL REVENUE ACCOUNT THAT IT DETERMINES NECESSARY TO FULFILL ITS RESPONSIBILITIES AND CARRY OUT THE  
25 ACTIVITIES PROVIDED IN 2-15-150.

26 (5) ENTITIES RECEIVING FUNDS UNDER SUBSECTION (3) MAY NOT USE THE FUNDS FOR PURPOSES OTHER THAN  
27 THOSE PRESCRIBED BY THE LEWIS AND CLARK BICENTENNIAL COMMISSION AND SUBJECT TO 2-15-150.

28 (6) PROCEEDS FROM LICENSE PLATE DONATIONS AND PROCEEDS FROM ANY LOAN FROM THE BOARD OF  
29 INVESTMENTS THAT ARE RECEIVED IN THE SPECIAL REVENUE ACCOUNT ESTABLISHED IN 2-15-150 ARE STATUTORILY  
30 APPROPRIATED, AS PROVIDED IN 17-7-502, TO THE LEWIS AND CLARK BICENTENNIAL COMMISSION."; AND

1 (C) THE CODIFICATION INSTRUCTION IN [SECTION ~~14~~ 14] OF SENATE BILL NO. 393 IS VOID AND [SECTION 5]  
2 OF SENATE BILL NO. 393 MUST BE CODIFIED AS AN INTEGRAL PART OF TITLE 2, CHAPTER 15, PART 1, AND THE  
3 PROVISIONS OF TITLE 2, CHAPTER 15, PART 1, APPLY TO [SECTION 5].

4 (2) IF [THIS ACT] AND SENATE BILL NO. 53 ARE BOTH PASSED AND APPROVED, THEN 61-3-332(10)(C)(II) MUST  
5 READ AS FOLLOWS:

6 "(II) THE FEE FOR ORIGINAL OR RENEWAL REGISTRATION BY A 100% DISABLED VETERAN FOR A MOTOR VEHICLE,  
7 AS DEFINED IN 61-1-102, THAT IS NOT USED FOR COMMERCIAL PURPOSES IS \$5 AND IS IN LIEU OF ALL OTHER FEES AND  
8 TAXES FOR THAT VEHICLE UNDER THIS CHAPTER."

9  
10 NEW SECTION. Section 18. Codification instruction. [Sections 1 through 10] are intended to be  
11 codified as an integral part of Title 61, chapter 3, part 4, and the provisions of Title 61, chapter 3, part  
12 4, apply to [sections 1 through 10].

13  
14 NEW SECTION. Section 19. Effective date. [This act] is effective ~~January 1, 2002~~ ON PASSAGE  
15 AND APPROVAL.

16  
17 NEW SECTION. SECTION 20. APPLICABILITY. [THIS ACT] APPLIES TO REGISTRATIONS OF MOTOR VEHICLES  
18 OCCURRING AFTER DECEMBER 31, 2001.

19  
20 NEW SECTION. SECTION 21. TERMINATION. [THIS ACT] TERMINATES JUNE 30, 2005.

21 - END -